

# *St. Louis City Ordinance 64417*

FLOOR SUBSTITUTE

BOARD BILL NO. [98] 54

INTRODUCED BY ALDERMAN Marit Clark

An Ordinance pertaining to the Property Maintenance Code of the City of Saint Louis, establishing the minimum regulations governing the conditions and maintenance of all property, buildings, structures and premises; repealing Ordinance 63695; adopting the International Property Maintenance Code, 1998 Edition with changes, as the Property Maintenance Code of the City of Saint Louis; and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

## SECTION ONE.

Ordinance 63695, approved March 26, 1996, pertaining to the 1996 BOCA National Property Maintenance Code is hereby repealed.

## SECTION TWO.

That a certain document, a copy of which is on file in the Office of the Register of the City of Saint Louis, being marked and designated as "The International Property Maintenance Code, 1998" as published by the International Code Council, Inc., be and is hereby adopted as The Property Maintenance Code of the City of Saint Louis, in the State of Missouri; for the control of the buildings and structures as herein provided; and that each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted and made a part hereto, as if set out in this Ordinance, with the additions, insertions, deletions and changes prescribed in Section Three of this Ordinance.

## SECTION THREE.

The 1998 International Property Maintenance Code is amended and changed in the following respects:

Change Chapter One to read as follows:

## CHAPTER 1

## ADMINISTRATION

## SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Saint Louis, Missouri, hereinafter referred to as "this code."

101.2 Scope. The provisions of this code shall apply to all existing residential and non-residential structures and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for, light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to insure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

## SECTION 102 APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the zoning code.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the City of Saint Louis or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

## SECTION 103

### PROPERTY MAINTENANCE INSPECTION

103.1 General. The responsibility for enforcement of this code shall be the Building Inspection Section of the Building Division, Department of Public Safety; and the Health Department of the City of Saint Louis.

103.2 Organization. The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority.

103.3 Relief from personal responsibility. The code official and employees charged with the enforcement of this code, while acting for the City of Saint Louis, shall not thereby be rendered liable personally, and are hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any code official or employee because of an act performed in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the City of Saint Louis until the final termination of the proceedings. The code official or any employees shall not be liable for any cost in or arising from any action, suit or proceeding that is instituted in pursuance of the provisions of this code. Any code official or employee of the Building Division, Department of Public Safety, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith. The above protection shall also extend to former employees for work performed during their period of employment with the City of Saint Louis.

## SECTION 104

### DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The Building Commissioner shall have power as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on

unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

104.5 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with the code.

104.7 Nuisance. The code official is authorized to enter and inspect every room, building, structure, inhabitable structure, or portion thereof which constitutes a nuisance as defined herein, within forty-eight (48) hours of being notified by the police department that such condition exists. The police department shall notify the code official of a nuisance property within twenty-four (24) hours of identifying such property. If the owner or occupant of said building refuses to permit an inspection, the code official shall immediately condemn for occupancy the building or structure, or portion thereof, and issue a non-appealable order to vacate. In the event that any person refuses to leave, interferes with the evacuation of other occupants, or continues any operation within said building or structure, or portion thereof, after having been given an evacuation order by the code official, it shall be the duty of the police department to immediately remove such person from said building or structure and prevent anyone from reentering the building or structure until such time as the police department has been notified by the code official that the order to condemn for occupancy has been rescinded. The code official shall immediately rescind the condemnation order, issued herein, upon the completion of the inspection authorized by this section. For purposes of this section a nuisance shall be defined as any violation of this ordinance which if not promptly corrected will constitute a fire hazard or a serious threat to the life, health or safety of the occupants of the building, structure, or portion thereof in which the violations occur.

## SECTION 105 APPROVAL

105.1 Modifications. Where there are practical difficulties involved in carrying out provisions of this code, the building commissioner shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire

safety requirements. The details of action granting modifications shall be recorded and maintained in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved when the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the City of Saint Louis.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

105.3.2 Testing agency. All tests shall be performed by an approved agency.

105.3.3 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

## SECTION 106 VIOLATIONS

106.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of violation. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall be guilty of a misdemeanor, and, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500) or imprisonment not exceeding thirty (30) days; or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the city counselor from instituting appropriate action to restrain, correct or abate a violation, or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## SECTION 107 NOTICES AND ORDERS

107.1 Notice to owner or to person or persons responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3.

107.2 Form. Such notice prescribed in Section 107.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation or violations and why the notice is being issued;
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code; and
5. Inform the property owner of the right to appeal.

107.3 Method of service. The notice to the owner of the building, structure or premise found to be in violation of this code by the code official, shall be directed to the owner or owners of such building, structure or premise as recorded most recently in the City of Saint Louis Assessor's Office. The notice shall be served in one of the following ways:

1. Delivered personally to owner or owners; or
2. By posting a copy of said notice upon the building, structure or premise; or
3. By mailing a copy of said notice by regular mail, postage prepaid, direct to the owner or owner's place of business or the address currently recorded in the Assessor's Office of the City of Saint Louis; or
4. By publication in a newspaper of general circulation in the City of Saint Louis.

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## SECTION 108

### UNSAFE STRUCTURES AND EQUIPMENT

108.1 Securing structures. The code official shall be permitted to order the owner of a vacant or partially vacant building or structure that is open and unsecured, in whole or in part, to secure all openings of said building or structure in accord with Section 119.0 of the building code. If the owner or owners fail to comply with the order of the code official within seven (7) calendar days, and in such a manner as provided by code, then such owner or



owners shall have violated this code, and the code official may forthwith, subject to funds availability, proceed to undertake and complete the work specified in that order. Billing, liens and cost recovery shall be in accord with Section 119.5 of the building code.

108.2 Declaration of emergency securing. The code official may declare an emergency to exist which shall waive the required seven (7) calendar day owner compliance period, and allow the code official to immediately cause the securing of open hazardous structures by placarding a notice on the structure and after a twenty four (24) hour period, causing the securing. Lien and recovery of costs shall be in accord with applicable sections of the building code. In extreme imminent public safety conditions, the twenty four (24) hour period need not be observed.

## SECTION 109 RIGHT TO APPEAL

109.1 Appeals. Any person aggrieved by the decision of the code official or the Health Commissioner may appeal any decision related to this code to the Board of Building Appeals in the manner prescribed in the building code.

Add or modify within Section 202 GENERAL DEFINITIONS as follows:

**CODE OFFICIAL.** The officials charged with the administration and enforcement of this code. These shall jointly be the Building Commissioner and the Health Commissioner of the City of Saint Louis, or any of their duly authorized representatives.

**COMMON EXIT.** An exit that serves two or more dwelling units.

**OWNER.** Any person, agent, operator, collector of rent, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the Assessor's Office of the City of Saint Louis as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

Change Section 302.3 to read as follows:

302.3 Private property public assessable areas. All sidewalks, steps, driveways, parking spaces and similar paved areas on private property where accessible by

the public shall be kept in a proper state of repair, free of all snow, ice, mud, overhanging trees and shrubs which obstruct walkways, and other debris and shall be maintained free of hazardous conditions. If any sidewalk or driveway or portion thereof on private property by virtue of its state of repair shall constitute a danger to public health and safety, the sidewalk or driveway or portion thereof shall be replaced. Steps shall comply with the requirements for exterior stairs.

Whenever off-street parking is permitted in any dwelling district behind the building line, the parking area, including the driveway to said parking area, if one thousand (1000) or more square feet, shall be paved with concrete, bituminous material or an equivalent surface approved by the code official, and any new off-street parking and loading areas, including a driveway behind the building line, must be constructed to conform with the building code. Any said off-street parking areas and driveways for said parking areas existing at the date of the passage of this ordinance shall be of a surface approved by the code official. Any existing off-street parking areas that are enlarged or changed in any manner that results in the total parking area, including the driveway to said parking area, to be one thousand (1,000) or more square feet, the entire parking area and driveway shall be paved with concrete, bituminous material or an equivalent surface approved by the code official.

Change Sections 302.4 through 302.6 to read as follows:

302.4 Weeds. Control of weeds shall be the responsibility of the Forestry Division.

302.5 Rat harborage. Control of rats and their harborage shall be regulated by the Health Department.

302.6 Exhaust vents. Location and usage of exhaust vents shall be as regulated in the Mechanical Code as listed in Chapter 8.

Change Section 302.8 to read as follows:

302.8 Motor vehicles, residential areas. Except as provided in other regulations, no currently unregistered or uninspected, derelict or abandoned motor vehicle shall be parked on any property, and no such vehicle shall at any time be in a state of major disassembly, disrepair or shall it be in the process of being stripped or dismantled. No vehicle of any type shall at any time undergo major overhaul, including body work, in a residential district unless such work is

provided in a structure or similarly enclosed area designed and approved for such purposes.

Except as provided in other regulations and approved by the code official, no currently unregistered or uninspected, derelict or abandoned motor vehicle shall be permitted on any property in a nonresidential district, and no such vehicle shall at any time be in a state of major disassembly or disrepair; nor shall it be in the process of being stripped or dismantled. (Also see Ordinance 60505).

Change Section 303.6 to read as follows:

303.6 Exterior walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain or dampness to the interior portion of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface coated when required to prevent deterioration. Tuckpointing shall not be loose or missing.

Change Section 303.7 to read as follows:

303.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that adversely affects adjacent property.

Change Section 303.15 to read as follows:

303.15 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans are employed.

Delete Section 303.18 in its entirety.

Change Section 305.1 to read as follows:

305.1 General. The control of rubbish and garbage shall be the responsibility of the Health Department.

Delete Sections 305.2 through 305.3.2. in its entirety.

Change Section 306.0 to read as follows:

## SECTION 306 EXTERMINATION

306.1 Owner. The owner of any structure shall be responsible for extermination of rats, insects or other pests within the structure prior to renting, leasing or selling the structure. Primary enforcement of Section 306.0 is by the Health Department.

306.2 Single occupancy. The owner and/or occupant of a structure containing a single dwelling unit or of a single non-residential structure shall be equally responsible for the extermination of any insects, rodents or other pests in the structure or on the premises.

306.3 Continued rodent infestation. Continuing or repeated incidents of rodent infestation determined from the official records shall require the installation of rat and vermin proof walls. The rat and vermin proof walls shall be installed in accordance with the building code.

Change Section 404.4.1 to read as follows:

404.4.1 Area for sleeping purposes. Every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet (7 m<sup>2</sup>) of floor area, and every room occupied for sleeping purposes by more than one person shall contain at least fifty (50) additional square feet (5 m<sup>2</sup>) of floor area for each additional occupant thereof.

Change 404.5.2 to read as follows:

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is so located that it functions as a

combination living room/dining room. This option is also applicable for a combination kitchen/dining room.

Delete Section 404.7. in its entirety.

Add Section 503.1.1 to read as follows:

503.1.1 Partitions. Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room, partitions, enclosures or compartments for privacy and shall comply with fixture clearance requirements of the plumbing code for such installations.

Change Section 507.0 to read as follows:

## SECTION 507 STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that adversely affects adjacent property.

507.2 Gutters and downspouts. All gutters and downspouts must be maintained so as to function properly and must be sewer connected where existing drain connections are provided. Garages, room additions, primary and accessory structures with a roof watershed of less than five hundred fifty (550) square feet need not be sewer connected.

Add Section 601.2.1 to read as follows:

601.2.1 Enforcement. The Health Department is the principal enforcement agency of Section 602.0.

Change 602.3 to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to April 30 to maintain a room temperatures of not less than 65oF (18oC.) in all habitable rooms, bathrooms, and toilet rooms. Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design

temperature for the locality shall be as indicated in Appendix D of the plumbing code.

Change 602.4 to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to April 30 to maintain a temperature of not less than 65oF. (18oC.) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operations areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Change Section 604.2 to read as follows:

604.2 Service. When the electrical system requires modification to correct inadequate service, the service shall be corrected to a minimum of sixty (60) ampere, three (3) wire 120/240 volt electrical service. If the dwelling contains an electric range, and/or electric dryer and/or electric air conditioning units, a minimum one hundred (100) ampere, three (3) wire 120/240 volt electrical service shall be provided.

Change Section 605.2 to read as follows:

605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two (2) separate and remote receptacle outlets. Every laundry area shall contain at least one (1) grounded type receptacle. Every bathroom shall contain at least one receptacle that shall be Ground Fault Circuit Interrupter protected. Every kitchen shall contain at least two (2) twenty (20) ampere appliance branch circuits.

Add Sections 702.3.1 and 702.3.2 to read as follows:

702.3.1 Dual exits over two stories. All habitable buildings over two (2) stories in height containing one (1) or more dwelling units above the second (2nd) floor shall provide two (2) separate usable exits from each floor above the second (2nd) floor, accessible to each dwelling unit or part thereof on said floor. All required exit facilities shall lead to a public thoroughfare either directly or through a court or yard, and passage to such exits shall not lead

through any other dwelling unit or through a space that might reasonably be locked by anyone who is not a member of the household. Dual means of exit shall consist of two (2) inside stairs discharging directly or through common halls to the outside, or of one (1) inside stair and one exterior metal, stair type fire escape accessible to all dwelling units on each floor above the second (2nd) floor and discharging directly or through a court or yard to a public thoroughfare. Dual exits shall not be required of structures permitted to have only one (1) means of egress under the current building code.

702.3.2 Dual exits 2 1/2 or 3 stories. The requirements for dual exits in buildings two and one-half (2½) or three (3) stories in height shall be as follows:

1. Habitable structures not exceeding two and one half (2 1/2) or three (3) stories in height and of Type 3 B (exterior masonry) construction, as defined in the building code, used as the abode of one family only, shall be exempt from the requirements of two exits for third floor.
2. Habitable structures not exceeding two and one half (2 1/2) or three (3) stories in height, of Type 3 B (exterior masonry) construction, as defined in the building code, having a dwelling unit occupying a portion or all of the second (2nd) floor and all of the third (3rd) floor shall be provided with two (2) exits from the second (2nd) floor, and shall be exempt from the requirements of the two (2) exits from the third (3rd) floor.
3. Habitable structures not exceeding two and one half (2 1/2), or three (3) stories in height and of Type 3 B (exterior masonry) construction, as defined in the building code, having a dwelling unit occupying the first floor with said unit using bedrooms on the third floor, shall be required to provide two (2) means of exit from the third floor, provided the second floor is occupied as a separate dwelling unit.

Change Section 702.9 to read as follows:

702.9 Stairways, porches, handrails and guards. Every stair, porch, fire escape, balcony, and all appurtenances attached thereto shall be so constructed as to be safe to use and capable of supporting the anticipated loads and shall be maintained in sound condition and good repair. Every stair, porch and fire escape shall be maintained free of hazardous conditions such as snow, ice, mud and other debris. Every exterior and interior flight of stairs which is more than five (5) risers high shall have a handrail on at least one side of the stair, and every open portion of a stair, fire escape, porch, landing or balcony which is

more than 30 inches (762 mm) above the grade shall have guardrails. Handrails shall be not less than 30 inches (762 mm) nor more than 38 inches (965 mm) high, measured vertically above the nosing of the treads. Guards shall be not less than 30 inches (762 mm) high above the floor of the porch, landing or balcony. Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in good condition.

Change Section 702.11 to read as follows:

702.11 Locked doors. All doors in the required means of egress shall be readily openable from the inner side without the use of keys, special knowledge or effort, except as approved in Section 702.11.1. Exits from dwelling units, hotel units, boarding houses, and dormitory units shall not lead through other such units, or through toilet rooms or bathrooms.

Exception: Single dwelling units of Use Group R 2 or R 3.

Change Section 705.3 to read as follows:

705.3 Standpipe systems. Standpipe systems shall be in proper operating condition at all times and readily identified and fully accessible. Hose connections shall be unobstructed.

Change Section 705.5 to read as follows:

705.5 Smoke detectors. Smoke detectors shall be installed as per Ordinance 59376 and the building code.

Modify Chapter 8 by adding the following:

PHCC National Association of Plumbing-Heating-Cooling Contractor  
P.O. Box 6808  
Falls Church, VA 22046

Standard reference number	Title	Referenced in code Section number
NSPC- 87	National Standard Plumbing Code-Illustrated.....	102.3,201.3,505.1 602.2,602.3



Add Chapter 9 to read as follows:

## CHAPTER 9 LICENSED FACILITIES

### SECTION 901 GENERAL

901.1 Scope. Every building used in whole or in part as a rooming house, boarding house, dormitory or hotel shall conform to the requirements of this Chapter.

901.2 Special residential uses. Shelters for the homeless, facilities for battered spouses or children, or similar uses shall be subject to all conditions of this Chapter and shall be treated as Use Group R-1 for technical code requirements.

901.3 Hazard declared. Any rooming house, boarding house, dormitory or hotel which shall fail to conform to the requirements of this code shall be deemed a hazard and detrimental to the health, safety and welfare of the inhabitants of the City of Saint Louis.

902.1 Permit and license required. It shall be unlawful to operate a hotel, dormitory, rooming house or boarding house without first obtaining a permit and license as hereinafter set forth. An applicant for a license to operate a dormitory, rooming house, boarding house or hotel, together with all other requirements of this Chapter, shall also file a plat or drawing showing its location or premises together with the position of the building to be used thereon and a written petition in favor of the issuance of such license signed by a majority of the persons, if any, occupying the premises or conducting any business on the main floor within the prescribed petition circle drawn by a radius of five hundred (500) feet plus one-half of the width of the front of the premises, from the center of such premises projected to the streets. A neighborhood consent petition shall not be required for successive yearly renewals for the same license on the same premises immediately succeeding the original licensing. No such application shall be approved wherein a church, elementary school or secondary school is located within the radius hereinabove described.

Exceptions:

1. Sheltered workshops and residence facilities authorized by Sections 205.968 to 205.972 of the Revised Statutes of Missouri, 1978, as supplemented, shall be

and are hereby exempted from the plat and petition and the church and school petitions set forth herein.

2. Hotels of sixty (60) or more rooms shall be and are hereby exempted from the plat and petition requirements set forth herein within an area defined herewith: Beginning at a point, said point being the intersection of the center lines of the Poplar Street Bridge and Leonor K. Sullivan Boulevard; thence northwardly along said centerline of Leonor K. Sullivan Boulevard to the point of intersection thereof with the centerline of Biddle Street; thence westwardly along said centerline of Biddle Street to the point of intersection with the centerline of Interstate 70; thence southwardly along said centerline of Interstate 70, to the point of intersection with the centerline of Cole Street; thence westwardly along said centerline of Cole Street to the point of intersection with the center of Tucker Boulevard; thence southwardly along said centerline of Tucker Boulevard to the point of intersection with the centerline of Dr. Martin Luther King Boulevard; thence westwardly along said centerline of Dr. Martin Luther King Boulevard to the point of intersection with the centerline of Jefferson Avenue; thence southwardly along said centerline of Jefferson Avenue to the point of intersection with the centerline of Interstate 64; thence eastwardly along said centerline of Interstate 64, to the point of intersection with Leonor K. Sullivan Boulevard, said point being the point of beginning.

902.2 Notification of termination. The Director of the Saint Louis Office for Mental Retardation/ Developmental Disabilities Resources shall notify the Director of Public Safety, in writing, within ten (10) days when the operation of any sheltered workshop or residence facility is terminated, voluntarily or otherwise. The exemption herein granted for that location shall be automatically withdrawn.

902.3 Certificate of occupancy. Before filing the application as required by Section 902.4, the operator shall file with the code official an application for a Certificate of Occupancy in accordance with the building code, and if the code official finds that the zoning code permits such usage in the district in which the proposed building is located, the code official shall accept the application of the operator. If the code official finds that the comprehensive zoning ordinance does not permit such usage in the district in which the proposed building is located, the code official shall not approve the application for a rooming house, boarding house, dormitory or hotel permit. Appeals on the zoning aspects of the Certificate of Occupancy lie within the Board of Adjustment.

902.4 Filing application with code official required. Every operator, before engaging in the business of conducting a hotel, dormitory, rooming house or boarding house, shall file an application with the code official and, when required, with the Secretary of the Board of Public Service.

902.4.1 Contents of application. Every operator, before engaging in the keeping of a hotel, dormitory, rooming house or boarding house in the City of Saint Louis shall file an application with the code official stating:

1. The name, address and telephone number of the operator;
2. The street number of the building to be used;
3. If the operator is not a resident of the City of Saint Louis, the name and address of an agent who is a resident of the City;
4. An affidavit of resident agent of the operator on a form approved by the code official that the agent of the operator will accept full responsibility for the operation of the hotel, dormitory, rooming house or boarding house;
5. The height of the building in stories;
6. The number of stairways;
7. The number of rooms intended to be rented or used as sleeping rooms by paying guests;
8. The maximum number of paying guests proposed to occupy each room; in computing guest population of a structure, any child who has attained two and one-half (2½) years of age, shall be counted as a person;
9. The number of beds, cots and bunks intended to be used by the guests;
10. Whether the building has a fire escape;
11. Whether fire extinguishers or any other type of alarm, detection or fire suppression system is provided;
12. The size of the lot on which the building is located and containing such other information as the code official may require to enable it to determine whether the building conforms to the requirements of the ordinances of the City of Saint Louis.

902.5 Inspection of building. Upon filing of the application for a permit to operate a rooming house, boarding house, dormitory or hotel, the code official shall make, or cause to be made, an inspection of such proposed building to ascertain whether the proposed use conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau.

902.5.1 Report of code official. Upon the completion of the said inspection, the code official shall file such application with the Board of Public Service, together with a written report stating whether the place to be used as a rooming house, boarding house, dormitory or hotel conforms to the requirements of this Chapter and to the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau and also their recommendation as to whether or not the permit should be granted and the reason for such recommendation.

902.5.2 License collector prohibited from issuing license until permit issued. The license collector is hereby prohibited from issuing a license for the operation of a rooming house, boarding house, dormitory or hotel to any person until a permit has been issued by the Board of Public Service as herein provided.

902.6 Issuance or denial of permit. If the Board of Public Service, after receipt of the application and the report and recommendation of the code official, finds that the proposed structure conforms to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and the Fire Prevention Bureau, it shall cause to be issued a permit to the operator. If the Board finds that the building does not conform to the requirements of this Chapter and the rules and regulations of the Building Inspection Section, Health Division and Fire Prevention Bureau, it shall deny the permit and shall notify the applicant of such denial stating the reason or reasons therefor.

902.6.1 Denial of permit - hearing. If the permit is denied, the applicant shall, upon written request, be granted a hearing before the Board of Public Service on a day designated by it for reconsideration of the denial of such permit. After considering such request and the evidence and argument, if any, submitted in support thereof, the Board may issue said permit or confirm the action in refusing to do so. If no written request for such rehearing is made by the applicant within ten days after notification of the refusal of the permit, the action of the Board of Public Service in denying the permit shall be final.

902.7 Notice of violation to violator correction or abatement. If the code official finds any rooming house, boarding house, dormitory or hotel in violation of any of the requirements of this Chapter, the code official shall immediately notify the operator thereof to correct or abate same. If the violation is not abated within a reasonable period, the code official shall file a report of such violation with the Board of Public Service with the code official's recommendation to revoke said permit. The Board shall notify the operator or the operator's resident agent of the code official's recommendation and shall within a reasonable time conduct a hearing as to whether or not the permit should be revoked. If the Board finds that the rooming house, boarding house, dormitory or hotel is being operated in violation of any of the requirements of this Chapter, the Board shall immediately revoke the permit.

902.7.1 Revocation of permit license revocation. Should any permit issued under this Chapter be revoked, the license collector shall, immediately upon receipt of such notice of revocation, revoke the license of such operator. Whenever a permit shall be revoked by the Board of Public Service, the Secretary of the Board of Public Service shall immediately notify the license collector of such revocation.

902.8 Change of owner new application to be filed. Any change of ownership of a rooming house, dormitory or hotel shall require that a new application be filed as set forth in this Chapter and shall be subject to rules and regulations and ordinances in effect at the date of such application.

## SECTION 903 FEES

903.1 License fees. There shall be levied by the license collector on every rooming house, dormitory, boarding house or hotel an annual fee.

903.2 Expiration of licenses. Licenses for rooming houses, boarding houses, dormitories or hotels shall expire on the thirty-first (31st) day of January, after the date of its issuance.

903.3 Service of notice. All notices provided herein to be served upon the owner, operator, agent of owner, or occupant, as the case may require, shall be deemed served upon such owner, operator, agent of owner, or occupant, as the case may require, if a copy thereof shall:

1. Be delivered to them personally; or

2. If not found, by leaving a copy at the usual place of abode, with a member of the family of sixteen (16) or more years of age; or
3. By posting a copy in a conspicuous place in or about the dwelling affected by the notice; or
4. By sending a copy of the notice by registered letter with a return receipt requested, to the address specified in the application for a rooming house, dormitory, boarding house or hotel permit or to the last known address; or
5. If registered letter with copy is returned with receipt showing it has not been delivered to them, by posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice.

903.4 Form of notice. All notices provided herein shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why notice is being issued;
4. Include a description of the violations required to be abated to bring the premises into compliance with the provisions of the ordinance and any rules or regulations adopted pursuant thereto.

## SECTION 904 BUILDING REQUIREMENTS

904.1 Existing licenses. All currently existing licensed rooming houses, boarding houses, dormitories and hotels shall, at a minimum, be governed by the provisions of the BOCA National Building Code under which they were initially licensed.

904.2 New licenses. All new rooming houses, boarding houses, dormitories and hotels must meet the requirements as defined in this code and the current building code, as amended.

904.3 Change of ownership. All existing rooming houses, boarding houses, dormitories and hotels that have a change of ownership or an increase in number of sleeping rooms or occupants shall only need to comply with the Chapters dealing with "Means of Egress" and "Fire Protection Systems" of the current building code and all Chapters of this code, as amended. All existing

rooming houses and boarding houses that have a change of ownership or an increase in number of sleeping rooms or occupants shall also comply with the current electrical code.

904.4 Appeals. Appeals of this Chapter shall have their jurisdiction with the Board of Building Appeals of the City of Saint Louis. If an appeal is made, the premise may continue to operate until the appeal is adjudicated.

904.5 Master room keys. Master keys for all guest rooms shall be kept at all times at the registration desk. A minimum of one (1) master key for the rooms on each floor of the hotel shall be kept available for fire department use in case of emergency. Where there are more than ten (10) rooms on a floor, additional keys shall be provided at the rate of one (1) key per every ten (10) rooms or fraction thereof. Keys shall be kept at the main desk, office or main telephone operator location in a locked box marked "FOR FIRE DEPARTMENT USE ONLY".

It shall be the duty of the operator to keep available on the premises at all times, proper keys to all rooms, so that proper inspection can be made by the Building Inspection Section, Department of Health or Fire Prevention Bureau.

904.6 Room numbers. Every rooming unit in every rooming house or boarding house shall be numbered and said number to be placed on the outside of the door to such unit. No two (2) units shall bear the same number.

904.7 Hotel register required. Every person to whom a rooming house, boarding house, dormitory or hotel permit has been issued shall at all times keep a standard hotel register within such house in which shall be inscribed the names of all occupants renting or occupying rooming units in such house. The register shall be signed by the person renting such unit. After the name or names of persons renting or occupying such unit, the operator, or the operator's agent, shall write the number of the room or rooms which each person is to occupy, together with the date and hour when such room or rooms are rented. All of which shall be done before such person is permitted to occupy such room or rooms. The register shall be at all times open to inspection by the code official, Health Commissioner or Fire Marshal of the City of Saint Louis.

904.7.1 False registration prohibited. No person shall knowingly write or cause to be written in any rooming house, boarding house, dormitory or hotel register any other or different name than the true name of such person or the name by which such person is generally known.

## SECTION 905

### POWERS AND DUTIES

905.1 Power of health commissioner to make rules. The Health Commissioner shall have power to make such rules and regulations as in the Health Commissioner's opinion may be reasonably necessary for carrying out the provisions of this part insofar as they relate to the public health. Such rules and regulations shall be in writing and a copy filed with the code official.

905.2 Duty of code official. It shall be the duty of the code official to make or cause to be made a semi annual inspection of all rooming houses, boarding houses, dormitories and hotels. The first inspection shall be made between the first (1st) day of January and the thirtieth (30th) day of June and the second inspection shall be made between the first (1st) day of July and the thirty first (31st) day of December of each year.

905.3 Cooperation of other agencies. The Fire Prevention Bureau and Department of Health shall promptly make requested semi annual inspections and forward information to the Building Division. No separate fees shall be required.

## SECTION 906

### CONDEMNATION

906.1 Procedures for condemning. The designation of rooming houses, boarding houses, dormitories and hotels as unfit for human habitation and the procedure for the condemnation and the placarding of such unfit rooming houses, boarding houses, dormitories and hotels shall be carried out in compliance with the following requirements.

906.2 Conditions requiring condemnation. The code official shall condemn as unfit for human habitation any rooming house, boarding house, dormitory or hotel, or portion thereof which:

1. Is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe or vermin infested that it creates a hazard to the safety, health or welfare of the occupants or of the public; or
2. Lacks illumination, ventilation or sanitary facilities adequate to protect the safety, health, or welfare of the occupants or of the public; or



3. Because its general condition or location is unsanitary or otherwise dangerous to the safety, health, or welfare of the occupants or the public;
4. Any condition listed as such in the building code as adopted.

906.3 Notice of condemnation to owner. Whenever the code official has condemned a rooming house, boarding house, dormitory or hotel, or portion thereof, as unfit for human habitation, the code official shall immediately give notice to the owner, or operator or resident agent thereof, of such condemnation and of the intent to placard such rooming house, boarding house, dormitory or hotel as unfit for human habitation. Such notice shall:

1. Be in writing;
2. Contain a description of the real estate sufficient for identification;
3. Contain a statement of the grounds of such condemnation as unfit for human occupancy;
4. Contain a description of the violations;
5. Contain a statement informing the owner of their right to appeal such action to the code official within ten (10) days after same is served.

906.4 Hearing before board of appeals. Any owner or operator affected by notice relating to condemnation of a rooming house, boarding house, dormitory or hotel as unfit for human habitation may request and shall be granted a hearing before the Board of Building Appeals; provided, that such person shall file in the office of the code official a written petition requesting such hearing and setting forth a statement of the grounds therefore within ten (10) calendar days after the date of the notice. Within ten (10) calendar days after receipt of such petition, the code official shall set the time and place of such hearing and shall give the petitioner written notice thereof.

906.4.1 Time of hearing. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should be modified or withdrawn. The hearing shall be scheduled not later than forty-five (45) calendar days after the date on which the petition was filed; provided, that upon written application of the petitioner to the code official, the code official may postpone the date of the hearing for a reasonable time beyond such forty-five (45) day period, if, in the official's judgment, the petitioner has submitted a good and sufficient cause for such postponement.

906.5 Posting notice of condemnation. If no appeal has been taken within the ten (10) calendar day period, or if after such hearing, the Board of Building Appeals affirms the decision to condemn said premises, the code official shall post, in a conspicuous place or places upon the affected building, a placard or placards bearing the following words, "Condemned as unfit for human habitation" or the words "Condemned for Occupancy" which shall have the same meaning.

906.6 Vacation of condemned building. Any rooming house, boarding house, dormitory or hotel which has been condemned and placarded as unfit for human habitation by the code official, shall be vacated within a reasonable time as required by said official. No owner or operator shall let to any person for human habitation and no person shall occupy said rooming house, boarding house, dormitory or hotel which has been condemned and placarded by the code official after the date on which the code official has required the affected structure to be vacated.

906.7 Correction of premises. No rooming house, dormitory, boarding house or hotel which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the code official. The code official shall remove such placard whenever the defect or defects upon which the condemnation and placard action was based shall have been eliminated. The code official may require permits for the corrective work.

906.7.1 Removal of placard unlawful. No person shall deface or remove any placard from any rooming house, boarding house, dormitory or hotel which has been condemned as unfit for human habitation and placarded as such, except as provided in Section 906.7.

Add Chapter 10 to read as follows:

## CHAPTER 10 INSTITUTIONAL USES

### SECTION 1001 SPECIAL DEFINITION

1001.1 Scope. For the purpose of this Chapter, the following special definition shall apply:

INSTITUTIONAL USES. This definition shall be as found in the current building code, and shall include Day Care Facilities, which shall include more than five (5) persons more than two and one-half (2½) years of age for less than twenty-four (24) hours per day, which is classified as Use Group E, and shall be subject to all the requirements of this ordinance.

The following types of facilities when accommodating persons of the above description shall be classified as an I 1: Facility board and care, half way house, group house, social rehabilitation facility, alcohol and drug center and convalescent facility, residential care I and II facility, adult day care also known as day nurseries, houses for the care of aged persons, nursing and convalescent homes. Use Group I 2 facilities shall include buildings or parts thereof used for medical, surgical, psychiatric, nursing or custodial care on a twenty-four (24) hour basis of six (6) or more persons who are not capable of self preservation, to include hospital, nursing homes (both intermediate care and skilled nursing facility) mental hospital and detoxification facility, child care facility which accommodates more than five (5) children two and one-half (2½) years of age or less shall be in these groups.

## SECTION 1002 GENERAL

1002.1 Scope. All currently existing licensed institutional uses shall be governed by the provisions set forth by the building code, as amended.

1002.2 New uses. All new institutional uses must meet the requirements as defined in the current building code and this code.

1002.3 Change of ownership. All existing institutional uses that have a change of ownership or an increase in occupants shall conform to the current building code and this code.

## SECTION 1003 APPEALS

1003.1 General. Appeals of this Chapter have their jurisdiction with the Board of Building Appeals of the City of Saint Louis. If an appeal is made, the premise shall be allowed to continue to operate until the appeal is adjudicated. Appeals must be filed within ten (10) calendar days.

## SECTION 1004 PERMITS

1004.1 Permit required. From and after the effective date of this ordinance, no person, firm or corporation shall operate or maintain in the City of Saint Louis any institutional type use without first obtaining a permit to do so from the Board of Public Service based on a certificate of the code official showing compliance with the provisions of this ordinance.

1004.2 Revocation. Unless any such institution as hereinbefore mentioned has complied with the provisions of this ordinance, the Board of Public Service is hereby authorized, after a hearing upon notice, to revoke any permit which it has issued for the operation thereof.

#### SECTION FOUR.

This being an ordinance necessary for the immediate preservation of the public safety, it is hereby declared to be an emergency measure and shall become effective immediately upon its approval by the Mayor.

#### SECTION FIVE.

It is the intent of the Board of Aldermen that Section Two and Section Three of this ordinance be codified in the Revised Code of the City of Saint Louis.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
05/22/98	05/22/98	PS	07/16/98	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
07/10/98			07/17/98	07/17/98
ORDINANCE	VETOED		VETO OVR	
64417				